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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JAMES V. CAICO,

No. 2:02-cv-1608-MCE-GGH-P

12 Plaintiff,

13 v.

ORDER

14 D.L. RUNNELS, ET AL.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, a former prisoner proceeding pro se, has filed  
18 this civil rights action seeking relief under 42 U.S.C. § 1983.  
19 The matter was referred to a United States Magistrate Judge  
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.  
21 262.

22 On March 29, 2006, the magistrate judge filed Findings and  
23 Recommendations herein which were served on all parties and which  
24 contained notice to all parties that any objections to the  
25 Findings and Recommendations were to be filed within twenty (20)  
26 days.

1 On April 24, 2006, Plaintiff was granted a thirty-day (30)  
2 extension, in which to file his Objections. Plaintiff has filed  
3 Objections to the Findings and Recommendations.

4 The magistrate judge recommended that the Motion for Summary  
5 Judgment filed on January 26, 2006, on behalf of Defendants Roche  
6 and Barron be granted based, in part, on Plaintiff's failure to  
7 file an opposition. Plaintiff's Objections, filed May 2, 2006,  
8 cannot be construed as an opposition to Defendants' motion.  
9 Plaintiff's Objections contain a few general facts and no legal  
10 argument.<sup>1</sup>

11 In accordance with the provisions of 28 U.S.C.  
12 § 636(b)(1)(C) and Local Rule 72-304, this Court has conducted a  
13 de novo review of this case. Having carefully reviewed the  
14 entire file, the Court finds the Findings and Recommendations to  
15 be supported by the record and by proper analysis.

16 Accordingly, IT IS HEREBY ORDERED that:

17 1. The Findings and Recommendations filed March 29, 2006,  
18 are adopted in full; and

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25 <sup>1</sup> The Court observes that in another action filed by  
26 Plaintiff in this Court, 2:01-cv-2334-MCE-PAN-P, on April 7,  
2006, the magistrate judge recommended dismissal based on  
Plaintiff's failure to prosecute.

2. Defendants Roche and Baron's January 26, 2006, Motion  
for Summary Judgment is granted.

DATED: July 11, 2006

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE